

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

HELEN HOLLAND, ET AL.,
V.
FULENWIDER ENTERPRISES, INC., PHOENIX TACO, L.L.C., ET AL
NO. 1:17-cv- 00048-MOC-DLH

TO: ALL CURRENT AND FORMER ASSISTANT UNIT MANAGERS, "AUMs" OR ASSISTANT MANAGERS WHO WERE EMPLOYED BY FULENWIDER ENTERPRISES, INC. AND/OR PHOENIX TACO, L.L.C. (OWNERS OF KFC/TACO BELL RESTAURANTS) WITHIN THE LAST 3 YEARS AND WHO WERE PAID A SALARY OR A FIXED AMOUNT PER WEEK.

***A FEDERAL COURT AUTHORIZED THIS NOTICE.
THIS IS NOT A SOLICITATION FROM A LAWYER.***

**NOTICE OF YOUR RIGHT TO JOIN IN LAWSUIT AGAINST
FULENWIDER ENTERPRISES, INC. AND PHOENIX TACO, L.L.C.
BASED ON ALLEGED VIOLATIONS OF THE FAIR LABOR STANDARDS ACT**

I. INTRODUCTION

FULENWIDER ENTERPRISES, INC. and/or PHOENIX TACO, L.L.C. ("Fulenwider") has identified you as an individual who has worked as a salaried/exempt Assistant Manager during the last 3 years, primarily before December 1, 2016. The lawsuit seeks to recover a money judgment for current and former Fulenwider Assistant Managers who were paid a salary or fixed amount per week instead of hourly (with overtime premium pay) in violation of the Fair Labor Standards Act. The lawsuit also seeks other relief, including liquidated damages, pre-judgment and post-judgment interest, attorneys' fees and court costs. The purpose of this Notice is (1) to inform you of the existence of a lawsuit that has been filed against Fulenwider; (2) to advise you of how your rights may be affected by this lawsuit; and (3) to instruct you on how you may join in this lawsuit, should you choose to do so.

II. DESCRIPTION OF THE LAWSUIT

Plaintiff Helen Holland, who is referred to as the "Named Plaintiff," held Assistant Unit Manager positions at Fulenwider KFC/Taco Bell franchises located in North Carolina. The Named Plaintiff alleges that due to corporate pay practices and policies of Fulenwider her and other current and former Assistant Managers working at

Fulenwider's KFC/Taco Bell's company-wide were not compensated as required by the Fair Labor Standards Act. More specifically, the Named Plaintiff brought this lawsuit on behalf of current and former Assistant Managers, including yourself if you were paid a salary or a fixed amount per week within the last 3 years instead of being paid as an hourly employee and paid overtime premium pay for hours worked over forty (40) per week.

Fulenwider denies that it improperly paid its Assistant Unit Managers a salary or fixed amount per week, primarily, prior to December 1, 2016. Fulenwider is actively defending itself against the Named Plaintiff's claims in this lawsuit and maintains that it has properly compensated Assistant Managers at all relevant times.

III. YOUR RIGHT TO JOIN THIS LAWSUIT

If you were employed at any Fulenwider KFC/Taco Bell restaurant as an Assistant Manager within the last 3 years (primarily prior to December 1, 2016) and paid a salary or fixed amount per week, instead of being paid as an hourly employee and paid overtime premium pay for hours worked over forty (40) per week, you may join this lawsuit. However, it is entirely your decision whether to join. If you choose not to join, you are not required to take any action in response to this Notice. If you do not join this lawsuit, you will not receive any share of any settlement or judgment that the Named Plaintiff and the class may obtain. You will, however, retain any right you may have to file a separate lawsuit at your own expense.

If you do choose to join this lawsuit, you will be bound by the judgment of the Court, whether favorable or unfavorable. If the Named Plaintiff and the class prevail or a settlement is reached, you may be entitled to share in money recovered.

If you choose to join this lawsuit, you may also be required to provide information under oath, appear for deposition, and/or testify in Court at trial in Asheville, North Carolina.

By joining this lawsuit, you will designate individually Named Plaintiff Helen Holland or other Named Plaintiff if she is replaced, as your agent(s) for purposes of this lawsuit. She/he will be authorized to make decisions on your behalf concerning all aspects of the lawsuit. By joining the lawsuit, Named Plaintiff's attorneys will become your attorneys, and you will be entitled to communicate with, provide input, and receive advice directly from them. If you choose to opt in to this action and attorneys' fees are awarded to Plaintiffs' counsel, a portion of such attorneys' fees may be reportable to you as taxable income under applicable IRS regulations. However, you would not be required to pay taxes on money you did not receive.

IV. THE COURT HAS NOT YET DECIDED WHO WILL WIN

Although the Court has approved the sending of this Notice, the Court expresses no opinion on the merits of this lawsuit. There is no assurance that the Court will grant any relief to you or to the Plaintiffs in this case.

V. NO RETALIATION PERMITTED

The law prohibits Fulenwider from firing you or retaliating against you in any other manner because you have exercised your right to join this lawsuit.

VI. HOW TO JOIN

In order to join this lawsuit, you must complete the enclosed Consent Form and return it one of the following ways:

- 1) You may mail the completed Consent Form to the following address **WITH THE RETURN ENVELOPE BEING POSTMARKED ON OR BEFORE [60 days from mailing]** to:

Gordon E. Jackson
Attn: Fulenwider KFC/Taco Bell Litigation
Jackson, Shields, Yeiser & Holt
262 German Oak Drive
Memphis, Tennessee 38018

For your convenience, you may use the envelope included in this mailing. It is pre-addressed and the postage is prepaid so that you do not have to place any additional postage on it.

OR

- 2) You may scan the completed Consent Form and email it **BY NO LATER THAN MIDNIGHT, [60 days from mailing]** to rturner@jsyc.com.

OR

- 3) You may fax the completed Consent Form **BY NO LATER THAN MIDNIGHT, [60 days from mailing]** to the attention of Gordon E. Jackson at (901) 754-8524.

OR

- 4) You may text a picture of the completed Consent Form **BY NO LATER THAN MIDNIGHT, [60 days from mailing]** to the attention of Russ Bryant at (662) 418-0997.

VII. STATUTE OF LIMITATIONS

The Fair Labor Standards Act has a two- to three-year statute of limitations, depending upon later decisions by the Court. If you choose to join this action, you may be able to recover damages only for hours worked within two or possibly three years of the date your Consent Form is filed. If you choose not to join in this action or file your own

action, some or all of your potential claims may later be barred by the applicable statute of limitations.

VIII. FURTHER INFORMATION

Further information about this Notice, or the deadline for “opting in” and for filing a “Consent To Join” form, or any other matter concerning this lawsuit may be obtained by writing or calling the office of the attorney identified in Section V.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF THE NAMED PLAINTIFFS’ CLAIMS OR OF FULENWIDER’S DEFENSES.

PLEASE DO NOT CONTACT THE COURT.